

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT MURRAY, *as Leviticus Lucifer*

Plaintiff(s),

-against-

C.O. PRATT, et. al.,

Defendant(s).

22 Civ. 638 (JPO) (GWG)

ORDER

HON. GABRIEL W. GORENSTEIN, United States Magistrate Judge

Plaintiff pro se Robert Murray brings this action under 42 U.S.C. § 1983, alleging that while he was detained by the New York City Department of Corrections (“DOC”), defendants violated his civil rights. (Docket # 2) (“Compl.”). On March 15, 2022, plaintiff was granted leave to proceed in forma pauperis, that is, without prepayment of fees. (Docket # 4).

On January 24, 2022, plaintiff filed a complaint naming as defendant, inter alia, C.O. Pratt. Compl. On March 18, 2022, the court requested that C.O. Pratt waive service of summons. (Docket # 6 at 4). On March 25, 2022, service was returned unexecuted for C.O. Pratt with the following reason listed: “Cannot identify/More than one CO Pratt at EMTC.” (Docket # 8). On March 2, 2023, plaintiff filed an amended complaint which again names C.O. Pratt as a defendant. (Docket # 31) (“Am. Compl.”).

Under Valentin v. Dinkins, a pro se litigant is entitled to assistance from the district court in identifying defendants. 121 F.3d 72, 75 (2d Cir. 1997). Plaintiff has provided sufficient information to allow the City to identify C.O. Pratt. See Am. Compl. Therefore, the New York City Law Department is ordered to ascertain the identity and badge number of Corrections Officer Pratt, and the address at which C.O. Pratt may be served. The Law Department must provide this information to Plaintiff and the Court on or before March 24, 2023. .

SO ORDERED.

Dated: March 3, 2023
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge